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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/290,645	04/12/1999	RUDOLF BOLLE	YO999-159	1122

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EXAMINER

SMITHERS, MATTHEWS

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 12/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/290,645

Applicant(s)

BOLLE ET AL.

Examiner

Matthew B Smithers

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> | 6) <input type="checkbox"/> Other: |

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DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed April 12, 1999 has been placed in the application file and the information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 6,185,316 granted to Buffam.

Regarding claim 1, Buffam meets the claimed limitations as follows:

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“A system for authenticating one or more acquired signals, the system comprising:

one or more acquisition devices for creating; a representation of one or more input signals, a signal output connected to one or more application devices; and

a responder receiving the signal representations from the acquisition devices, and, in response to challenges received from one or more challenge generator devices, and the responder sending one or more responses that are a function of the signals and the challenges, the signal representations capable of being verified by comparing the responses to the function of the signals and the challenges.” see column 11, line 58 to column 12, line 3; column 13, line 35 to column 14, line 65; column 18, line 64 to column 19, line 23; and column 22, line 65 to column 23, line 40.

Regarding claim 2, Buffam meets the claimed limitations as follows:

“A system as in claim 1, where the signal representation is digital.” see column 11, lines 58-63.

Regarding claim 3, Buffam meets the claimed limitations as follows:

“A system as in claim 2, where the responder is a computer system having one or more central processing units and one or more memories.” see column 11, line 58 to column 12, line 3.

Regarding claim 4, Buffam meets the claimed limitations as follows:

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“A system, as in claim 1, where the signal is one or more of the following: a biometric signal, a fingerprint image, a face image, an iris image, an audio signal, and a speech signal.” see column 11, line 58 to column 12, line 3.

Regarding claim 5, Buffam meets the claimed limitations as follows:

“A system, as in claim 1, where the acquisition device is one or more of the following: a camera, a biometrics sensor, a semiconductor-based fingerprint sensor, a micro-mechanical sensor, and a microphone.” see column 11, line 58 to column 12, line 3.

Regarding claim 6, Buffam meets the claimed limitations as follows:

“A system, as in claim 1, where the responder has two or more selectable functions, the functions being selected by one or more configuration inputs and the functions modifying the challenge.” see column 13, line 35 to column 14, line 65.

Regarding claim 7, Buffam meets the claimed limitations as follows:

“A system, as in claim 6, where the configuration inputs are connected to an external source that selects the function.” see column 13, lines 27-34 and column 14, lines 32-44.

Regarding claim 8, Buffam meets the claimed limitations as follows:

**“A system, as in claim 7, where the external source includes one or more of the following:
a set of switches, a jumper block, a clock, a global positioning system signal, an external computer, and a pseudo-random number generator.”** see column 13, lines 27-34.

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Regarding claim 9, Buffam meets the claimed limitations as follows:

“A system, as in claim 1, where the responder function includes one or more of the following: a checksum, a pseudo-random sample, a block of contiguous samples, and a function of selected samples of the signal.” see column 18, line 64 to column 19 , line 4.

Regarding claim 10, Buffam meets the claimed limitations as follows:

“A system, as in claim 1, where the acquisition device and the responder are both located on a single semiconductor chip.” see column 16, line 65 to column 17, line 9 and column 23, lines 23-27.

Regarding claim 11, Buffam meets the claimed limitations as follows:

“A system, as in claim 1, where the signal representation is transmitted to the application device over a network.” see column 17, lines 37-48 and column 22, line 65 to column 23, line 14.

Regarding claim 12, Buffam meets the claimed limitations as follows:

“A system, as in claim 1, where the challenge is received over a network and the response is transmitted over the network.” see column 17, lines 37-48 and column 22, line 65 to column 23, line 40.

Regarding claim 13, Buffam meets the claimed limitations as follows:

“A system, as in claim 1, where the application device is one or more of the following: a computer, a transaction processor, a web server, and a database system.” see column 17, lines 37-48 and column 22, line 65 to column 23, line 40.

Regarding claim 14, Buffam meets the claimed limitations as follows:

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A system for authenticating one or more acquired signals, comprising:

means for creating a representation of one or more input signals;

means for creating one or more challenges;

means for creating responses that are a function of the input signals and the challenges; and

means for verifying the responses by comparing them to the function of the input signals and the challenges.” see column 11, line 58 to column 12, line 3; column 13, line 35 to column 14, line 65; column 18, line 64 to column 19, line 23; and column 22, line 65 to column 23, line 40.

Regarding claim 15, Buffam meets the claimed limitations as follows:

A method for authenticating one or more acquired signals, comprising the following steps:

creating a representation of one or more input signals;

creating challenges;

creating responses that are a function of the input signals and the challenges; and

verifying the responses by comparing them to the function of the input signals and the challenges.” see column 11, line 58 to column 12, line 3; column 13, line 35 to column 14, line 65; column 18, line 64 to column 19, line 23; and column 22, line 65 to column 23, line 40.

Regarding claim 16, Buffam meets the claimed limitations as follows:

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“A computer product for authenticating one or more acquired signals that performs the

following steps:

creating a representation of one or more input signals;

creating challenges;

creating responses that are a function of the input signals and the challenges; and

verifying the responses by comparing them to the function of the input signals and the challenges.” see column 11, line 58 to column 12, line 3; column 13, line 35 to column 14, line 65; column 18, line 64 to column 19, line 23; and column 22, line 65 to column 23, line 40.

Regarding claim 17, Buffam meets the claimed limitations as follows:

“A business process for authenticating one or more acquired signals, the process comprising the steps of:

creating a representation of one or more input signals;

creating challenges;

creating responses that are a function of the input signals and the challenges; and

verifying the responses by comparing them to the function of the input signals and the challenges.” see column 11, line 58 to column 12, line 3; column 13, line 35 to column 14, line 65; column 18, line 64 to column 19, line 23; and column 22, line 65 to column 23, line 40.

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Regarding claim 18, Buffam meets the claimed limitations as follows:

“A business process, as in claim 17, where the input signals include any one or more of the following: one or more fingerprints, face, iris, and voice.” see column 11, line 58 to column 12, line 3.

Regarding claim 19, Buffam meets the claimed limitations as follows:

“A business process, as in claim 17, where the challenge response functions include any one or more of the following: signal values at discrete points, a mathematical function of discrete signal values, a hash of the signal values, and a checksum of the signal values in a delimited area.” see column 12, lines 34-51 and column 14, lines 8-13.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Gullman et al (5,280,527) discloses a system for authorizing access to a host using a biometric.

B. Mann et al (6,119,096) discloses a system for airport security using iris recognition.

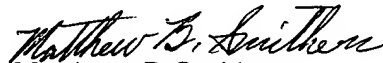
C. Hoffmann et al (6,366,682) discloses a electronic transaction system using biometric samples for authorization.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew B Smithers whose telephone number is (703) 308-9293. The examiner can normally be reached on Monday-Friday (9:00-5:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


Matthew B Smithers
Primary Examiner
Art Unit 2134

December 15, 2002